

ORIGINAL

RECEIVED

APR 26 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D. C. 20554

DOCKET FILE COPY ORIGINAL

In the Matter of)

)
Amendment of Section 73.202(b),)
Table of Allotments,)
FM Broadcast Stations)
(Temple, Texas))

MM Docket No. 93-29
RM-8157

To: Chief, Allocations Branch
Policy and Rules Division
Mass Media Bureau

COMMENTS

Progressive Communications, Inc. ("Progressive"), permittee of a new station to be built and operated on Channel 269A in Temple, Texas, by its attorneys, hereby submits its comments in support of the change in the Table of Allotments proposed in the Notice of Proposed Rulemaking ("Notice"), DA 93-157, released March 5, 1993, in the above-captioned proceeding. Specifically, Progressive urges the Commission to substitute Channel 269C3 for Channel 269A at Temple and to modify Progressive's permit to specify operation on Channel 269C3.

On December 24, 1992, Progressive filed a petition for rulemaking urging the Commission to upgrade the channel specified in its permit. In its petition, Progressive demonstrated that the proposed change would serve the public interest by bringing a new wide area FM service to the Temple community. As documented by Progressive's consulting engineer, effectuation of the allocation proposal would increase the population within the station's proposed 60 dBu contour from 106,690 to 270,761 based

No. of Copies rec'd
List A B C D E

014

on 1990 Census figures. The geographic area within the same contour would increase from 2,533.9 square kilometers to 4,827.5 square kilometers.

Progressive has also demonstrated that its proposal satisfies all relevant Commission technical requirements. To meet the minimum distance separation requirements and avoid short-spacing problems, Progressive has proposed a site restriction of 20.1 kilometers (12.5 miles) to the northwest of Temple.¹ From this site, Progressive has demonstrated that it will also be able to meet city coverage requirements.

Once the Commission substitutes Channel 269C3 for Channel 269A, Progressive will act promptly to build the new facility. Attached as Appendix A is a statement from Progressive's president attesting to the permittee's continued interest and intent to build and construct a station on Channel 269C3.

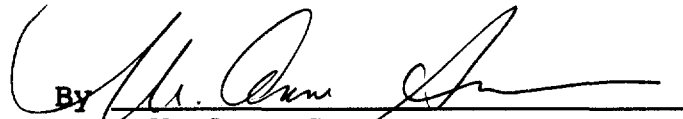
Accordingly, because the allocation change proposed in the Notice meets all Commission requirements and will advance the public interest, Progressive urges the Commission to act promptly to substitute Channel 269C3 for Channel 269A at Temple, Texas,

¹ On February 2, 1993, Progressive submitted a slight modification in its proposed reference coordinates for the new allocation in order to accommodate an amendment filed by an applicant for a construction permit to build and operate a new station on Channel 270A in Lometa, Texas. This amendment, which was filed shortly before Progressive's petition, had not been included in the technical database at the time Progressive's engineering showing was prepared. The slight change did not significantly affect the population and geographic coverage figures included in Progressive's initial petition for rulemaking.

and modify Progressive's authorization to operate on the new channel.

Respectfully submitted,

PROGRESSIVE COMMUNICATIONS, INC.

By 
M. Anne Swanson

of

Koteen & Naftalin
Suite 1000
1150 Connecticut Avenue, N. W.
Washington, D. C. 20036
(202) 467-5700

Its Attorneys

April 26, 1993

STATEMENT

I am the president of Progressive Communications, Inc. ("Progressive"), permittee of a new station to operate on Channel 269A in Temple, Texas. (See FCC File No. BPH-820512AP.)

On December 24, 1992, Progressive submitted a rulemaking petition proposing to substitute Channel 269C3 for Channel 269A at Temple. We supplemented the petition on February 2, 1993.

Once the Federal Communications Commission authorizes the channel change, Progressive will promptly construct and then operate a new station on Channel 269C3. We remain very interested in following through on this proposal.

I declare under penalty of perjury that the foregoing is true and correct.

By Stephen D. Cannon
Stephen D. Cannon
President
Progressive Communications, Inc.

Date: 4-23-93

CERTIFICATE OF SERVICE

I, Judy Cooper, a secretary in the law firm of Koteen & Naftalin, hereby certify that on the 26th day of April, 1993, a copy of the foregoing "Comments" was hand delivered to the person named below:

Michael C. Ruger, Esquire
Federal Communications Commission
Room 8318
2025 M Street, N. W.